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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/723,172 | 11/26/2003 | James A. McEwan | 27049-24 |

CONFIRMATION NO. 5747

FORMALITIES LETTER



OC000000011965523

Woodard, Emhardt, Moriarty, McNett & Henry LLP
 Bank One Center/Tower
 Suite 3700
 111 Monument Circle
 Indianapolis, IN 46204-5137

Date Mailed: 02/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

07/27/2004 W06F001 00000011 10723172
 770.00 DP
 130.00 DP
 01 FC:1001
 02 FC:1051

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

James A. McEwan

Serial No. 10/723,172

Filed November 26, 2003

TURBOCHARGER WITH WASTEGATE

) Before the Examiner
) Not Yet Assigned
)
) Group Art Unit 3748
)
)
) Our Ref.: 27049-24

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on

July 21, 2004

(Date of Deposit)

John H. Allie

Name of Registered Representative

Signature

July 21, 2004

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Commissioner for Patents
Mail Stop Missing Parts
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated February 25, 2004, Applicant's Representative submits herewith an executed Declaration and Power of Attorney for Patent Application. Please find enclosed herewith a copy of the Notice to File Missing Parts of Application. Further, enclosed is a three-month Request for Extension of Time to respond up to and including July 25, 2004. A Credit Card Payment Form in the amount of \$1,850 is also enclosed to cover the fee for a three-month extension of time of \$950, the filing fee of \$770, and the surcharge of \$130 for paying the filing fee on a date later than the filing date of the application. If any additional fees or extensions of time are necessary, the Patent Office is authorized to charge Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

John H. Allie

Reg. No. 39,088

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